

Application No. 10/630,883
Amendment dated May 19, 2009
Reply to Office Action of February 19, 2009

REMARKS

**Reconsideration And Allowance
Are Respectfully Requested.**

Claim 52 is the only claim pending. Claims 46-51 have been canceled. Claims 1-45 were previously canceled. No new matter has been added. New claim 52 has been added.

Reconsideration is respectfully requested.

Claims 46-51 have been canceled in favor of new claim 52, which has added additional limitations regarding the marker material. As such, all of the outstanding objections and rejections are deemed moot.

None of the prior art of record teaches a compressed woven biodegradable marker as now claimed. In particular, Anderson does not disclose a compressed woven biodegradable marker and Burbank is not prior art.

With regard to the language “detectable by at least two remote imaging detection methods imaging”, it is clearly supported by the specification as filed. In particular, note on page 1, lines 8-11, “Typically, in the case of cancer, when a physician establishes by means of known procedures (i.e. palpation, x-ray. MRI, or ultrasound imaging) that suspicious circumstances exist...” and page 6, lines 12-13, “Visualization of the marker is readily accomplished using various state of the art imaging systems”. These two instances make it clear the listed inventors possessed and disclosed the knowledge of detecting by at least two remote imaging methods.

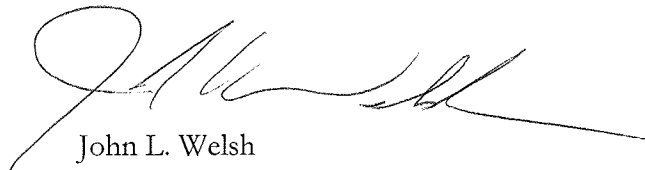
With regard to the compressed language, note the specification at page 8, lines 2-6 and with regard to the woven biodegradable language, note the specification at page 23, lines 2-6.

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As such, the specification as filed supports the claim as now recited and is entitled to the priority date of its parent filed on September 16, 1994 as SN 08/308,097.

In view of the newly submitted amendment it is believed that this case is in condition for allowance and reconsideration thereof and early issuance is respectfully requested. If it is felt that an interview would expedite prosecution of this application, please do not hesitate to contact Applicants' representative at the below number

Respectfully submitted,



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